



IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Arbitrator's Award attached hereto as **Exhibit "A"** is hereby confirmed by the Court in all respect and is incorporated herein by reference for all purposes..

IT IS FURTHER ORDERED that the home equity loan (the "Loan") made by Associates to the Capparellis and secured by the property described in **Exhibit "B"** attached hereto and incorporated herein by reference for all purposes (the "Homestead Property") is valid and enforceable and in all respects in compliance with Texas Constitution Article XVI, §50(a)(6).

IT IS FURTHER ORDERED that Associates has a valid, enforceable lien against the Homestead Property as security for the Loan.

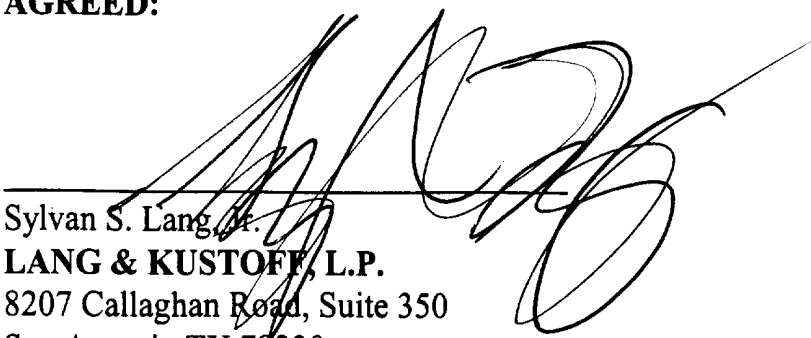
IT IS FURTHER ORDERED that all costs of court incurred herein shall be taxed against the party incurring such cost.

IT IS FURTHER ORDERED that all relief requested by the parties in the above-entitled and numbered cause and not expressly awarded herein is hereby denied.

SIGNED the 18 day of June 2001.

  
UNITED STATES DISTRICT JUDGE  
*Magistrate*

**AGREED:**

  
\_\_\_\_\_  
Sylvan S. Lang  
**LANG & KUSTOFF, L.P.**  
8207 Callaghan Road, Suite 350  
San Antonio TX 78230

210-340-5800

210-340-5808 (FAX)

**ATTORNEYS FOR GUY I. CAPPARELLI and  
JUSTINE G. CAPPARELLI**

  
\_\_\_\_\_  
Brian T. Morris  
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**ATTORNEYS FOR ASSOCIATES HOME EQUITY SERVICES, INC.  
n/k/a CITIFINANCIAL MORTGAGE COMPANY, INC.**

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AMERICAN ARBITRATION ASSOCIATION

Case No. 30 148 00473 00

GUY I. CAPPARELLI and	§
JUSTINE G. CAPPARELLI	§
	§
V.	§
	§
ASSOCIATES HOME EQUITY	§
SERVICES, INC.,	§

**AGREED ARBITRATOR'S AWARD**

Guy I. Capparelli and Justine G. Capparelli (collectively the "Capparellis") and Associates Home Equity Services, Inc. n/k/a CitiFinancial Mortgage Company, Inc. ("Associates") have announced that they have fully resolved the claims asserted by each in the above-entitled and numbered Arbitration, and as evidenced by the signatures of their respective attorneys of record hereon, the Arbitrator finds that the Capparellis and Associates are in agreement to the relief ordered herein and that the following award should be entered.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that all relief requested by the Capparellis is denied.

IT IS FURTHER ORDERED that the home equity loan made by Associates to the Capparellis (the "Home Equity Loan") and the lien against the property described in **Exhibit "A"** attached hereto and incorporated herein by reference for all purposes (the "Homestead Property") securing the Home Equity Loan are valid, enforceable, and in all respects in compliance with Texas Constitution Article XVI, §50(a)(6).

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CURRY & ASSOCIATES

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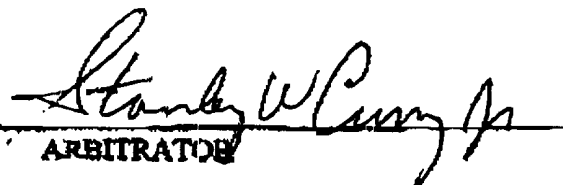
LANG & KUSTOFF

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IT IS FURTHER ORDERED that Associates has a valid lien against the Homestead Property as security for the Home Equity Loan.

IT IS FURTHER ORDERED that the Capparellis and Associates shall each be responsible for their respective costs incurred in connection with this Arbitration.

SIGNED this 15 day of JUNE, 2001.

  
ARBITRATOR

AGREED:



Sylvan S. Lang, Jr.  
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210-340-5808 (FAX)  
ATTORNEYS FOR GUY L. CAPPARELLI and  
JUSTINE G. CAPPARELLI

AGREED ARBITRATOR'S AWARD - Page 2



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265:20539-5



11003 Wye Drive, San Antonio, Texas 78217

Field Notes of 2.500 acres of land situated in Guadalupe County, Texas being out of the J.H. Williamson Survey, A-328 and out of a 20.50 acre tract of land described by Deed in Volume 721, Page 143 of the Official Records of Guadalupe County, Texas and being more particularly described by meets and bounds as follows: (Note: All iron pins are 1/2" rebar with a plastic yellow cap stamped "Baker Surveying")

Beginning at a found 1/2" iron pin being the East corner of the said 20.50 acre tract for the East corner of this tract and a corner of the remainder of a 151 1/2 acre tract of land described by deed in Volume 410, page 300 of the Deed Records of Guadalupe County, Texas.

Thence S 43° 39' 00" W – 328.10 feet with the Southeast line of this tract, the Southeast line of the 20.50 acre tract and the Northwest line of the said remainder of the 151 1/2 acre tract to a 1/2" iron pin set for the South corner of this tract.

Thence N 28° 44' 13" W – 572.45 feet with the Southwest line of this tract into and across the said 20.50 acre tract to a 1/2" iron pin set for the most westerly corner of this tract.

Thence N 47° 12' 41" E – 100.72 feet with the Northwest line of this tract to a 1/2" iron pin set in the Northeast line of the 20.50 acre tract and a point on the western side of the said remainder of the 151 1/2 acre tract for the North corner of this tract.

Thence with the Southeast line of this tract, the Southeast line of the said 20.50 acre tract and the western line of the said remainder of the 151 1/2 acre tract the following:

S 46° 56' 00" E – 309.00 feet to a found 1/2" iron pin,

S 58° 53' 00" E – 236.00 feet to the PLACE OF BEGINNING and containing 2.500 acres of land according to a survey on the ground on May 18, 2001 by Baker Surveying.

Job No. 01-078

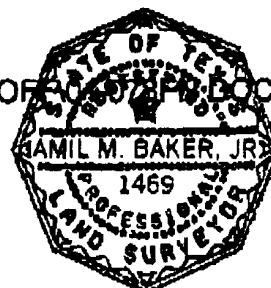
File J:/DRAW2001\01-078 LANG AND KUSTOF 06/07/01 BOC

Accompanying Plat Prepared

*Amil M. Baker, Jr.*

Amil M. Baker, Jr.

Registered Professional Land Surveyor  
Survey No. 1469



Baker Surveying (210) 653-7270 Abijah Eng

EXHIBIT

"B"

